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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/594,972

09/29/2006

Hideki Shimizu

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12/03/2008

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EXAMINER

NGO, CHUONG A

ART UNIT

PAPER NUMBER

4133

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/594,972	<b>Applicant(s)</b> SHIMIZU ET AL.	
	<b>Examiner</b> CHUONG A. NGO	<b>Art Unit</b> 4133	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3,4 and 6-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,4 and 6-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/29/06</u> .   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This Office Action is in response to the Applicants' communication filed on 9/29/2006. In virtue of this communication, claims 1, 3, 4, 6-8 are currently presented in the instant application.

### **Drawings**

2. The drawings submitted on 9/29/2006. These drawings are reviewed and accepted by the examiner.

### **Information Disclosure Statement**

3. The information Disclosure Statement (IDS) Form PTO-1449, filed on 9/29/2006 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosed therein was considered by the examiner.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:  
  

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claims 1, 3, 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al (20030034877A1) in view of Arnold (20030224729A1) and further in view of Laroia et al (20080182580A1).

Regarding claim 1, 3, 4 "A transmission system comprising: a first transmitter having a first antenna and a second transmitter having a second

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antenna, wherein, said first transmitter further comprises a power supply part”, Miller teaches (paragraph [0016] wireless communications interface 170 is coupled to bus 101 and provides wireless communications capabilities to electronic system 100. Wireless communications interface 170 can include any combination of one or more transmitters).

Miller does not explicitly teach “said second transmitter comprises a transmitter circuit which outputs identical information as a transmission signal to said first antenna and said second antenna, said second transmitter is attachable to and detachable from said first transmitter, and in a state where said first transmitter and said second transmitter are connected, said second transmitter is connected to said power supply part, and said first antenna and said second antenna simultaneously transmit said identical information” as in claim 1.

However, Arnold teaches (paragraph [0059] The wireless data transmitter unit simultaneously transmits a first identical copy of the data packet 708 using a first carrier frequency, and a second identical copy of the data packet 710 using a second carrier frequency) as in claim 3 “an operating means which conducts a transmitting operation, and radio field intensity outputted from said first antenna is set higher than the radio field intensity outputted from said second antenna”

Arnolds teaches (paragraph [0059] Fig. 11, this transmission scheme can be extended to any number of data packets sequentially transmitted at any given carrier) also as in claim 4 “second antenna is a loop antenna” Arnolds also teaches (paragraph [0069] Antenna 902 is suitably configured to optimize the

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reception of data packets transmitted on the specified carrier frequency. In regard, antenna 902 may be a monopole or dipole electric field antenna or a magnetic field loop antenna).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Miller using Arnold teaching to provide multiple narrow band RF carrier frequencies, specific data packet formats, and other techniques that improve the reliability of the system. See paragraph 7. The motivation for making the change is to provide similar service (antenna simultaneously transmit said identical information) in the same way (transmitter unit simultaneously transmits an identical copy), and (loop antenna) same as (a magnetic field loop antenna).

Miller and Arnold do not explicitly teach "first and second antennas". However, Laroia teaches (paragraph [0012] where a single cell includes multiple sectors into which the base station transmits by using multiple antennas or antenna elements.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Miller and Arnold using Laroia teaching to provide different antennas are used for each sector of a cell, with different antennas being used for each carrier frequency, the antennas used to transmit different carrier frequencies are offset from each other to provide different coverage areas and different sector boundaries for each carrier frequency. See paragraph 14. The motivation for making the change is to provide similar

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service (first and second antennas) in the same way (different antennas are used for each sector of a cell).

“antenna attachable to and detachable from transmitter”, this meaningless, most the antennas can be swap or replace as need. These functions are well know in the art at the time of the invention was made.

6. Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al (20030034877A1) in view of Arnold (20030224729A1) and Laroia et al (20080182580A1) as applied to claim 1 above, and further in view of Takeshi English abstract of (JP02002176426A) and Stevens (20040014457A1).

Regarding claim 6-8 Miller, Arnold and Laroia as modified for claim 1 do not explicitly teach “biometric function to measure biometric information”.

However, Takeshi teaches (abstract, A user uses the pedometer Attached mobile terminal 102 or other terminal (PC) 105 to transmit a data acquisition request via a network 104. The pedometer server 101 receiving the data acquisition request acquires data requested by the user or other user and conduct statistic processing or the like using the data on request and transmits the result via a web server 106 and a terminal base station 103 in cooperation with the pedometer server 101). Additional to Takeshi, Steven also teaches (paragraph [0034] the portable user device and the user's computer incorporate biometric verification, such as retina or fingerprint scanning, voice recognition, DNA or any other type of biometric verification, functionality for security and validation purposes. Thus, matching users may verify to each other by using the scanner

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and stored biometric on their own device or the scanner and stored biometric on the other user's device that they are the owners of their device and the profiles stored thereon to thereby ensure that the person they are meeting has not stolen or found another user's portable device. Additionally, users may biometrically verify certain types of personal information in their profiles such that other users are ensured the information is true).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Miller and Arnold using Takeshi and Stevens teaching to provide a pedometer server, where terminals other than an electronic pedometer terminal can refer to/manage data, utilize data of other users and that effectively gives users incentive to physical exercise. Specifically, the system and method of the present invention provide biometric verification (including, but not limited to, retina or fingerprint scanning, voice or DNA recognition) using an electronic device (including, but not limited to, a computer, mobile phone, personal digital assistant, or pager) to link people to their electronic identity/profile (including, but not limited to, a personal description, medical, legal, work, police, financial, religious records and any other desired affiliation) for the purpose of exchanging and/or matching verified information and/or desired profile characterizations.

The motivation for making the change is to provide similar service (biometric function to measure biometric information) in the same way (the data

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acquisition request acquires data requested by the user, scanner and stored biometric on the other user's device).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHUONG A. NGO whose telephone number is 571-270-7264. The examiner can normally be reached on Monday 7:00AM to 5:30PM, Tuesday through Thursday 6:00AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Abul Azad can be reached on 571-272-7599. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CHUONG A NGO/  
Examiner, Art Unit 4133

/ABUL AZAD/  
Supervisory Patent Examiner, Art  
Unit 4133



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